

**In the Matter Of:**  
**KULAKOWSKI vs WESTROCK SERVICES**

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**MICHAEL WHITE**

*November 15, 2017*

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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

MICHAEL KULAKOWSKI,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO.
	)	3:16-CV-02510
	)	
WESTROCK SERVICES, INC.,	)	
	)	
Defendant.	)	

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DEPOSITION OF  
MICHAEL P. WHITE  
Taken on Behalf of the Plaintiff  
November 15, 2017  
Commencing at 3:15 p.m.

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Reported by: Jerri L. Porter, RPR, CRR  
Tennessee LCR No. 335  
Expires: 6/30/2018

<p>1 APPEARANCES: Page 2</p> <p>2 For the Plaintiff:</p> <p>3 HEATHER MOORE COLLINS</p> <p>4 Collins &amp; Hunter</p> <p>5 7000 Executive Center Drive</p> <p>6 Building 2, Suite 320</p> <p>7 Brentwood, Tennessee 37027</p> <p>8 (615) 724-1996</p> <p>9 heather@collinshunter.com</p> <p>10</p> <p>11 For the Defendant:</p> <p>12</p> <p>13 MARY DOHNER SMITH</p> <p>14 Constangy, Brooks, Smith &amp; Prophete</p> <p>15 1010 SunTrust Plaza</p> <p>16 401 Commerce Street</p> <p>17 Nashville, Tennessee 37219</p> <p>18 (615) 320-5200</p> <p>19 mdohner@constangy.com</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 4</p> <p>1 The deposition of MICHAEL P. WHITE was</p> <p>2 taken on behalf of the Plaintiff on November 15,</p> <p>3 2017, in the offices of Bone, McAllester &amp; Norton,</p> <p>4 131 Saundersville Road, Suite 130, Hendersonville,</p> <p>5 Tennessee, for all purposes under the Federal Rules</p> <p>6 of Civil Procedure.</p> <p>7 The formalities as to notice, caption,</p> <p>8 certificate, et cetera, are waived. All objections,</p> <p>9 except as to the form of the questions, are reserved</p> <p>10 to the hearing.</p> <p>11 It is agreed that Jerri L. Porter,</p> <p>12 being a Notary Public and Court Reporter for the</p> <p>13 State of Tennessee, may swear the witness, and that</p> <p>14 the reading and signing of the completed deposition</p> <p>15 by the witness are reserved.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21 * * *</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>Page 3</p> <p>1 I N D E X</p> <p>2 INDEX OF EXAMINATIONS</p> <p>3 Page</p> <p>4 Examination By Ms. Collins .....5</p> <p>5 Examination By Ms. Dohner Smith .....19</p> <p>6 Examination By Ms. Collins .....24</p> <p>7</p> <p>8</p> <p>9 INDEX OF EXHIBITS</p> <p>10 NO EXHIBITS</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 5</p> <p>1 MICHAEL P. WHITE</p> <p>2 was called as a witness, and after having been first</p> <p>3 duly sworn, testified as follows:</p> <p>4 E X A M I N A T I O N</p> <p>5 BY MS. COLLINS:</p> <p>6 Q Good afternoon. Could you state your</p> <p>7 complete name for the record, please.</p> <p>8 A Michael Perry White.</p> <p>9 Q Mr. White, what is your address?</p> <p>10 A 3258 Union Camp Road, Lafayette, Tennessee,</p> <p>11 37083.</p> <p>12 Q What is your phone number?</p> <p>13 A House or cell?</p> <p>14 Q Cell.</p> <p>15 A (615)633-5006.</p> <p>16 Q Where do you currently work?</p> <p>17 A WestRock fulfillment.</p> <p>18 Q How long have you been out there?</p> <p>19 A Twenty-five years.</p> <p>20 Q What is your current job title?</p> <p>21 A I just printed my paycheck off. It says</p> <p>22 facility manager.</p> <p>23 Q What are you generally referred as?</p> <p>24 A I thought I was supposed to be called</p> <p>25 superintendent/safety manager.</p>

<p style="text-align: right;">Page 6</p> <p>1 Q How long have you been in this role?</p> <p>2 A Ten years probably. I've had several over</p> <p>3 the years.</p> <p>4 Q Had several different jobs over the years?</p> <p>5 A Yes.</p> <p>6 Q Okay. How long have you been employed by</p> <p>7 WestRock?</p> <p>8 A Twenty-five.</p> <p>9 Q Who do you report to?</p> <p>10 A Right now I report to Keith Hall.</p> <p>11 Q Who did you used to report to?</p> <p>12 A It was Larry Eden.</p> <p>13 Q Was that when Larry Eden was plant manager?</p> <p>14 A Yes, ma'am.</p> <p>15 Q Have you ever reported directly to Tommy</p> <p>16 Whited?</p> <p>17 A Yes, ma'am.</p> <p>18 Q When was that?</p> <p>19 A Somewhere in the neighborhood of three or</p> <p>20 four years ago.</p> <p>21 Q Is your job a management position?</p> <p>22 A Yes.</p> <p>23 Q You're salaried?</p> <p>24 A Salary.</p> <p>25 Q Okay. Now, you worked with Michael</p>	<p style="text-align: right;">Page 8</p> <p>1 before Mr. Whited's termination?</p> <p>2 A Yes, ma'am.</p> <p>3 Q Had any of those events happened the year</p> <p>4 that Mr. Whited was terminated, 2016?</p> <p>5 A Yes, ma'am.</p> <p>6 Q Do you recall Mr. Whited hitting or kicking</p> <p>7 Mr. Kulakowski in the groin?</p> <p>8 A Yes, ma'am.</p> <p>9 Q Do you recall him hitting or kicking</p> <p>10 Mr. Kulakowski -- Mr. Whited hitting or kicking</p> <p>11 Mr. Kulakowski in the groin so hard that he fell to</p> <p>12 the ground and couldn't breathe?</p> <p>13 A No, ma'am.</p> <p>14 Q Do you recall Mr. Whited hitting</p> <p>15 Mr. Kulakowski in the groin with a broom or any</p> <p>16 object?</p> <p>17 A I don't think so.</p> <p>18 Q Did you witness Mr. Whited kicking a chair</p> <p>19 out from under Mr. Kulakowski?</p> <p>20 A I don't recall seeing that.</p> <p>21 Q When you witnessed Mr. Whited hitting or</p> <p>22 kicking Mr. Kulakowski, did you report that to</p> <p>23 anyone else?</p> <p>24 A No, ma'am.</p> <p>25 Q Was Mr. Eden present when that happened on</p>
<p style="text-align: right;">Page 7</p> <p>1 Kulakowski, right?</p> <p>2 A Yes.</p> <p>3 Q Do you still work with him?</p> <p>4 A He's off at the present time.</p> <p>5 Q But you still work with him out at the</p> <p>6 fulfillment center?</p> <p>7 A Yes. He works at the fulfillment center.</p> <p>8 Q And you worked with Tommy Whited when he was</p> <p>9 out at the fulfillment center?</p> <p>10 A Yes. He was over both facilities.</p> <p>11 Q Did you ever witness Tommy Whited hitting or</p> <p>12 kicking Michael Kulakowski?</p> <p>13 A Yes, ma'am.</p> <p>14 Q Do you recall when it was?</p> <p>15 A I can't tell you when the last time was.</p> <p>16 Q Have you seen that happen on more than one</p> <p>17 occasion?</p> <p>18 A Yes, ma'am.</p> <p>19 Q About how many times had you seen that</p> <p>20 happen?</p> <p>21 A Handful of times.</p> <p>22 Q Handful, is that less than ten or more than</p> <p>23 ten?</p> <p>24 A Probably less than ten.</p> <p>25 Q Would that be over the past five years or so</p>	<p style="text-align: right;">Page 9</p> <p>1 some of those occasions?</p> <p>2 A I can't honestly say I recall him being</p> <p>3 there.</p> <p>4 Q Were people out at the plant kind of afraid</p> <p>5 of Mr. Whited?</p> <p>6 A Yes, ma'am.</p> <p>7 Q Can you tell me a little bit about that, why</p> <p>8 people were so afraid of him?</p> <p>9 A He was kind of bipolar. Would be in a good</p> <p>10 mood and then wouldn't -- or better terminology,</p> <p>11 groucher than hell the next minute.</p> <p>12 Q Was that kind of across the board, that</p> <p>13 everybody was afraid of him?</p> <p>14 MS. DOHNER SMITH: Objection.</p> <p>15 BY MS. COLLINS:</p> <p>16 Q Or your perception?</p> <p>17 A I've not -- I mean, I really -- I don't know</p> <p>18 what other people felt like, but it seemed to me</p> <p>19 that other people were -- felt that way, yes.</p> <p>20 Q Did he threaten people's jobs if they didn't</p> <p>21 like the way things were out there?</p> <p>22 A I've heard him threaten, but he never fired</p> <p>23 anybody. So I don't know if that held much water.</p> <p>24 Q Did you ever hear him say anything to</p> <p>25 employees, that if people complained about him he</p>

<p style="text-align: right;">Page 10</p> <p>1 would find out about it, or anything like that?</p> <p>2 A I've never heard him say that, no.</p> <p>3 Q Have you ever made a complaint to HR about</p> <p>4 Mr. Whited and the way he treated employees?</p> <p>5 A No, ma'am.</p> <p>6 Q Why not?</p> <p>7 A I didn't think it would matter.</p> <p>8 Q What do you mean by that?</p> <p>9 A I didn't think they'd do anything about it.</p> <p>10 Q Why do you feel that way?</p> <p>11 A I just -- I don't know how to explain it.</p> <p>12 Because he'd been there so long, because he made the</p> <p>13 company so much money.</p> <p>14 Q When you saw Tommy Whited hitting or kicking</p> <p>15 Mr. Kulakowski, did you think he was just joking</p> <p>16 around with him?</p> <p>17 A That was pretty much the culture, horseplay.</p> <p>18 That's -- I guess it's been that way for years.</p> <p>19 Q With Mr. Whited hitting or kicking other</p> <p>20 employees?</p> <p>21 A Yeah. Horseplaying, in a manner of that</p> <p>22 way, yes.</p> <p>23 Q Did he ever hit or kick you?</p> <p>24 A No.</p> <p>25 Q Do you think it's appropriate for the</p>	<p style="text-align: right;">Page 12</p> <p>1 Q You wished you would have reported</p> <p>2 Mr. Whited?</p> <p>3 A Well, yes. If he had been my direct report,</p> <p>4 I feel like I would have had to.</p> <p>5 Q Were you afraid you would lose your job if</p> <p>6 you would have reported him?</p> <p>7 A No. I just feel like that -- I don't know.</p> <p>8 I guess I didn't take it seriously enough. I did</p> <p>9 think it was in a, like I said, horseplay manner.</p> <p>10 Q And by horseplay, you mean the hitting and</p> <p>11 kicking and that sort of stuff?</p> <p>12 A Yes.</p> <p>13 Q Did you see Mr. Whited hit or kick other</p> <p>14 employees?</p> <p>15 A Yes.</p> <p>16 Q Who else did you see him hit or kick?</p> <p>17 A The one I can really recall probably was</p> <p>18 Jerry Harville.</p> <p>19 Q Anyone else?</p> <p>20 A Not that I can recall.</p> <p>21 Q Did you ever talk with Larry Eden about the</p> <p>22 way Mr. Whited treated employees?</p> <p>23 A No.</p> <p>24 Q Did Mr. Eden ever talk with you about it?</p> <p>25 A I don't recall him ever talking to me about</p>
<p style="text-align: right;">Page 11</p> <p>1 general manager to hit employees in the groin?</p> <p>2 A This day and time, no.</p> <p>3 Q Did you see Mr. Whited hit Mr. Kulakowski in</p> <p>4 the groin?</p> <p>5 A You asked that already. Yes.</p> <p>6 Q Okay. I couldn't remember if I was</p> <p>7 specific. I forget.</p> <p>8 A That's all right.</p> <p>9 Q Did Mr. Kulakowski complain to you about the</p> <p>10 way that Mr. Whited treated him?</p> <p>11 A Sometimes, yes.</p> <p>12 Q What do you recall about what he complained</p> <p>13 about?</p> <p>14 A Just the fact that he thought he was picking</p> <p>15 on him sometimes.</p> <p>16 Q Did he complain about being kicked or hit in</p> <p>17 the groin?</p> <p>18 A I don't know if he ever physically said what</p> <p>19 he was frustrated about or anything. I think it was</p> <p>20 just the way he was picking on him.</p> <p>21 Q Do you think as a supervisor out at WestRock</p> <p>22 you have a responsibility to report when another</p> <p>23 employee hits or kicks an employee?</p> <p>24 A Yeah, I do. I wished I would have. That's</p> <p>25 behind me, though.</p>	<p style="text-align: right;">Page 13</p> <p>1 it, no.</p> <p>2 Q Did you ever have any dealings with an</p> <p>3 employee named Helen Kendall?</p> <p>4 A Yes, ma'am.</p> <p>5 Q What did you understand her role to be?</p> <p>6 A I thought she was human resource.</p> <p>7 Q For the Gallatin plants?</p> <p>8 A Yes, ma'am.</p> <p>9 Q Did you know that WestRock had a compliance</p> <p>10 hotline?</p> <p>11 A Yes, ma'am.</p> <p>12 Q What was your understanding what that was</p> <p>13 for?</p> <p>14 A Well, I've had several complaints before, so</p> <p>15 I thought it was for, you know, just about anything,</p> <p>16 really.</p> <p>17 Q Okay.</p> <p>18 A We've had it for safety issues, you know,</p> <p>19 probably for sexual harassments or, you know,</p> <p>20 disgruntled employees. I mean, I thought basically</p> <p>21 it was for anything.</p> <p>22 Q Had you ever heard Tommy Whited threaten</p> <p>23 employees that if they called it, he would find out</p> <p>24 about it?</p> <p>25 A You've asked that again. No, I've never</p>

<p style="text-align: right;">Page 14</p> <p>1 heard him say that.</p> <p>2 Q You have a better memory than I have.</p> <p>3 A Sorry.</p> <p>4 MS. DOHNER SMITH: I don't even have to</p> <p>5 do the objection asked and answered.</p> <p>6 THE WITNESS: I'm very uncomfortable</p> <p>7 about doing this.</p> <p>8 MS. COLLINS: I'm sure. I understand.</p> <p>9 BY MS. COLLINS:</p> <p>10 Q Did you ever hear Tommy Whited cussing at</p> <p>11 Michael Kulakowski?</p> <p>12 A Yeah. Yes, ma'am.</p> <p>13 Q Have you heard him call Michael Kulakowski a</p> <p>14 stupid Polak?</p> <p>15 A Yes, ma'am.</p> <p>16 Q More than one time?</p> <p>17 A Yes, ma'am.</p> <p>18 Q Did you hear him call Michael Kulakowski</p> <p>19 other names?</p> <p>20 A Tommy had a way with words. I'm sure he</p> <p>21 said some more things. He did that.</p> <p>22 Q Did you hear Mr. Whited call Mr. Kulakowski</p> <p>23 a stupid motherfucker?</p> <p>24 A I'm not sure that was a direct thing or not.</p> <p>25 I know about the Polak thing because of his last</p>	<p style="text-align: right;">Page 16</p> <p>1 Q Were you asked any questions at all about</p> <p>2 the investigation before Tommy Whited's termination?</p> <p>3 A No, ma'am. I thought that was very odd,</p> <p>4 too.</p> <p>5 Q Did you ever witness Mr. Whited kick or hit</p> <p>6 a woman in the groin?</p> <p>7 A No, ma'am.</p> <p>8 Q But y'all have women working out there --</p> <p>9 A Yes.</p> <p>10 Q -- at the fulfillment center, right?</p> <p>11 A Yes, ma'am.</p> <p>12 Q Did you ever witness Mr. Whited show his</p> <p>13 penis --</p> <p>14 A No, ma'am.</p> <p>15 Q -- to anyone?</p> <p>16 A No.</p> <p>17 Q Okay. Have you ever kicked or hit another</p> <p>18 employee in the groin?</p> <p>19 A No, ma'am.</p> <p>20 Q Was it primarily Mr. Whited doing that to</p> <p>21 other employees, kicking and hitting --</p> <p>22 MS. DOHNER SMITH: Objection.</p> <p>23 BY MS. COLLINS:</p> <p>24 Q -- male employees in the groin?</p> <p>25 MS. DOHNER SMITH: Go ahead and answer.</p>
<p style="text-align: right;">Page 15</p> <p>1 name. Tommy had a foul mouth sometimes.</p> <p>2 Q So you don't dispute that he called</p> <p>3 Mr. Kulakowski --</p> <p>4 A I would not dispute that, but I don't...</p> <p>5 Q Okay. Do you recall an occasion where</p> <p>6 Mr. Whited kicked Mr. Kulakowski so hard he fell to</p> <p>7 his knees and wasn't able to breathe?</p> <p>8 A No.</p> <p>9 Q Do you recall an incident out at a picnic</p> <p>10 table with Mr. Kulakowski and Mr. Whited, where he</p> <p>11 was kicked out there?</p> <p>12 A No, ma'am.</p> <p>13 Q Did you ever witness Mr. Kulakowski either</p> <p>14 tell you or Larry Eden that he was sick of the way</p> <p>15 Tommy Whited was kicking him or treating him or</p> <p>16 anything of that nature?</p> <p>17 A He said before that he was sick of the way</p> <p>18 he treated him.</p> <p>19 Q Have you ever heard Mr. Whited -- or did you</p> <p>20 ever hear Mr. Whited tell Mr. Kulakowski that he</p> <p>21 could suck his dick, or anything like that?</p> <p>22 A Yeah, I've heard him say it a couple of</p> <p>23 times. I didn't -- never mind.</p> <p>24 Q I'm sorry?</p> <p>25 A Yeah, I've heard him say that.</p>	<p style="text-align: right;">Page 17</p> <p>1 THE WITNESS: I mean, you know, back in</p> <p>2 the day, it was -- you know, that was horseplay.</p> <p>3 That was -- I've seen people do it to other people,</p> <p>4 yes. And I couldn't tell you who or what, I mean,</p> <p>5 but back when I started in the '90s, it was just</p> <p>6 practical jokes and horseplay.</p> <p>7 BY MS. COLLINS:</p> <p>8 Q Right. But I'm talking about, let's say the</p> <p>9 last three years before Mr. Whited's termination,</p> <p>10 2014, '15, and '16. Was it primarily him doing that</p> <p>11 to other employees?</p> <p>12 A Yes, ma'am.</p> <p>13 Q I understand that Terri Henley is your local</p> <p>14 HR person now, right?</p> <p>15 A Yeah. I understand that, yes.</p> <p>16 Q About how many times do y'all see her in a</p> <p>17 year? When she's not investigating Tommy Whited.</p> <p>18 A Not many. Three or four maybe.</p> <p>19 Q Okay. When y'all get an employee handbook,</p> <p>20 are y'all required to go through it or do y'all just</p> <p>21 sign to say that you received it?</p> <p>22 A Well, we sign that we received it. I guess</p> <p>23 it's always been -- I went through mine, so I don't</p> <p>24 know. So yes, just sign to say that you received</p> <p>25 it.</p>

<p style="text-align: right;">Page 18</p> <p>1 MS. COLLINS: Okay. I think that's all 2 I have. Let me just take a second to look at my 3 notes. 4 (Pause in proceedings.) 5 BY MS. COLLINS: 6 Q Have you been in contact with Tommy Whited 7 since termination? 8 A He called me one time. 9 Q What did he call you about? 10 A He met me on the road and told me that he 11 respected me and that was -- how did he put it? It 12 was a pleasure working with me, and if he ever 13 needed him -- if I ever needed him, call him. 14 Q Okay. When was that? 15 A Maybe a week after he was fired. 16 Q And you haven't seen him since then? 17 A I've seen him. I haven't talked to him. 18 Q Okay. You didn't buy a car or anything from 19 him, did you? 20 A No, ma'am. 21 Q You don't owe him any money, do you? 22 A No, ma'am. That's the last thing I would 23 have done. 24 Q Now, you mentioned earlier that you were 25 uncomfortable being here. Are you worried about</p>	<p style="text-align: right;">Page 20</p> <p>1 Q His demeanor changed when he had problems 2 with his back? 3 A Yes, ma'am. 4 Q And he'd complain about the pain in his 5 back? 6 A Yes, ma'am. 7 Q And when his back got better, his demeanor 8 got better? 9 A Yeah. 10 Q And then lately his back is hurting him 11 again? 12 A He's complaining with his leg and stuff 13 hurting, yes, ma'am. 14 Q Okay. When you get a copy of the handbook 15 and you sign off on it, employees actually get their 16 own copy to keep, correct? 17 A Yes. 18 Q Now, Terri Henley being at the facility, are 19 there times that she may be there and you just don't 20 know because you don't see her? 21 MS. COLLINS: Objection to form. 22 You can answer. 23 THE WITNESS: I can answer? 24 MS. COLLINS: Yes, you can answer. 25 THE WITNESS: This is confusing me.</p>
<p style="text-align: right;">Page 19</p> <p>1 providing testimony here today? 2 MS. DOHNER SMITH: Objection. 3 BY MS. COLLINS: 4 Q You can answer. 5 A Well, ma'am, I've worked for WestRock 6 25 years. He give me a job and Kuli is my best 7 friend, but I can't lie, so... 8 Q Right. Have you noticed a change in 9 Mr. Kuli over the past several years? Or 10 Kulakowski. 11 A Yes. It got better and then it kind of got 12 worse again. 13 Q Is he paranoid about what Mr. Whited will do 14 to him? 15 A He's mentioned it a couple of times, but I 16 don't know how paranoid he really is about it. I 17 think he's more worried about his health. 18 MS. COLLINS: Okay. That's all I have. 19 E X A M I N A T I O N 20 BY MS. DOHNER SMITH: 21 Q The change that you noticed in 22 Mr. Kulakowski, you said it got better then worse 23 again. The change that you saw in him, did that 24 happen when he had problems with his back? 25 A Yes, ma'am.</p>	<p style="text-align: right;">Page 21</p> <p>1 I'm sure it's possible that she's there 2 and I'm unaware. 3 BY MS. DOHNER SMITH: 4 Q Okay. You said Mr. Kulakowski said he was 5 sick of the way Tommy Whited was treating him. Was 6 that in relation to kicking and hitting or was that 7 Tommy kind of getting on him about things that are 8 going on in the warehouse? 9 MS. COLLINS: Objection to form. 10 THE WITNESS: All of the above. 11 BY MS. DOHNER SMITH: 12 Q He's told you, I'm sick of him kicking me? 13 A Ma'am, I can't hardly remember exact words 14 like that said. 15 Q Okay. So you just don't know what he was 16 saying when he said I'm sick of the way Tommy is 17 treating me? 18 A Yeah. 19 Q Okay. The term motherfucker, that's one 20 that Mr. Kulakowski himself uses; is that correct? 21 A Yes. 22 Q Okay. He uses that in the workplace? 23 A I've heard him say it, yes, ma'am. Just 24 about everybody else there, too. 25 Q Now, Tommy, when he'd get upset and cuss,</p>



<p style="text-align: right;">Page 22</p> <p>1 he'd cuss in full meetings, correct?</p> <p>2 A Yes, ma'am.</p> <p>3 Q And there would be men and women in those</p> <p>4 meetings?</p> <p>5 A Yes, ma'am.</p> <p>6 Q You said you heard Mr. Whited call</p> <p>7 Mr. Kulakowski a stupid Polak. Mr. Kulakowski would</p> <p>8 also refer to himself as a Polak, correct?</p> <p>9 A Yes.</p> <p>10 Q And he'd joke about being a Polak?</p> <p>11 A Yes, ma'am.</p> <p>12 Q Okay. The handful of times you said you saw</p> <p>13 Mr. Whited either hit or kick Mr. Kulakowski, that</p> <p>14 handful, does that encompass the hitting and kicking</p> <p>15 in the groin and then hitting and kicking other</p> <p>16 places?</p> <p>17 A Yeah. I would say both would be a handful</p> <p>18 of times, yes.</p> <p>19 Q Okay. Now, that handful of times,</p> <p>20 Mr. Kulakowski, was he typically laughing, seemed to</p> <p>21 be laughing and cutting up when all of this was</p> <p>22 going on?</p> <p>23 MS. COLLINS: Objection to form.</p> <p>24 THE WITNESS: Sometimes.</p> <p>25</p>	<p style="text-align: right;">Page 24</p> <p>1 being sexually harassed, did he?</p> <p>2 A No, ma'am.</p> <p>3 Q Did Mr. Kulakowski ever ask you to make a</p> <p>4 report or call the hotline or call HR on his behalf?</p> <p>5 A No, ma'am.</p> <p>6 MS. DOHNER SMITH: That's all I've got.</p> <p>7 E X A M I N A T I O N</p> <p>8 BY MS. COLLINS:</p> <p>9 Q A moment ago when you were being asked about</p> <p>10 people using the term -- or Mr. Kulakowski using the</p> <p>11 term motherfucker in the workplace, I think you said</p> <p>12 just about everybody else does, too?</p> <p>13 A Several individuals use words. I'm guilty.</p> <p>14 Sorry.</p> <p>15 Q Okay. When you were asked about whether or</p> <p>16 not Mr. Kulakowski was cutting up with Mr. Tommy</p> <p>17 Whited, you don't, in fact, know if he welcomed</p> <p>18 being hit or kicked in the groin, do you?</p> <p>19 MS. DOHNER SMITH: Objection.</p> <p>20 THE WITNESS: I don't know how to</p> <p>21 answer that. No, I'm not Michael Kulakowski, so I</p> <p>22 don't know if he would have welcomed it or not.</p> <p>23 BY MS. COLLINS:</p> <p>24 Q Okay. And I believe you said Mr. Kulakowski</p> <p>25 was afraid of Mr. Whited, right?</p>
<p style="text-align: right;">Page 23</p> <p>1 BY MS. DOHNER SMITH:</p> <p>2 Q Okay. Was there anything that you observed</p> <p>3 that you thought that Mr. Kulakowski was actually in</p> <p>4 danger or hurt in any way?</p> <p>5 A I can't say danger. I know he would</p> <p>6 grimace, act like it hurt him sometimes.</p> <p>7 Q But he would usually appear to be cutting up</p> <p>8 with Mr. Whited?</p> <p>9 MS. COLLINS: Objection to form.</p> <p>10 THE WITNESS: Yes, ma'am.</p> <p>11 BY MS. DOHNER SMITH:</p> <p>12 Q If you had seen anything where you thought</p> <p>13 that Tommy was being malicious or attempting to, you</p> <p>14 know, hurt Mr. Kulakowski, would you have offered to</p> <p>15 help Mr. Kulakowski?</p> <p>16 MS. COLLINS: Objection to form.</p> <p>17 THE WITNESS: If they would have got</p> <p>18 into a fight, I would have broke them up.</p> <p>19 BY MS. DOHNER SMITH:</p> <p>20 Q What about if Mr. Kulakowski had come and</p> <p>21 said, I believe I'm being sexually harassed. Would</p> <p>22 you have offered to assist him?</p> <p>23 A I would have told him to call the hotline</p> <p>24 number.</p> <p>25 Q Okay. He never came to you and said he was</p>	<p style="text-align: right;">Page 25</p> <p>1 MS. DOHNER SMITH: Objection.</p> <p>2 THE WITNESS: I don't know if Kuli was</p> <p>3 afraid of anybody. He'd act like a tough guy</p> <p>4 sometimes, so I don't know if he was physically</p> <p>5 afraid of him or not. I don't think so, but...</p> <p>6 BY MS. COLLINS:</p> <p>7 Q You said a lot of employees out there were</p> <p>8 afraid of Mr. Whited.</p> <p>9 A Well, they're intimidated.</p> <p>10 Q Right.</p> <p>11 A I guess if I said afraid, I probably</p> <p>12 meant -- I meant intimidated. Intimidation. I</p> <p>13 don't know if I can go back and say that or not.</p> <p>14 Sorry.</p> <p>15 Q And you said you were never hit in the groin</p> <p>16 by Mr. Whited, right?</p> <p>17 A No.</p> <p>18 Q Would you appreciate that if you were?</p> <p>19 A No.</p> <p>20 MS. COLLINS: All right. That's all I</p> <p>21 have.</p> <p>22 FURTHER DEPONENT SAITH NOT.</p> <p>23 (Proceedings concluded at 3:45 p.m.)</p> <p>24</p> <p>25</p>

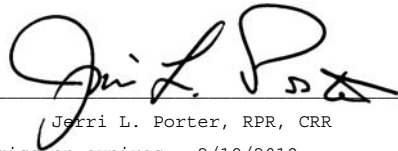


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I, Jerri L. Porter, RPR, CRR, Notary  
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true, accurate, and complete transcript to the best  
of my ability.

I further certify that I am not an  
attorney or counsel of any of the parties, nor a  
relative or employee of any attorney or counsel  
connected with the action, nor financially  
interested in the action.

SIGNED this 28th day of November, 2017.



Jerri L. Porter, RPR, CRR

My Notary commission expires: 2/19/2018  
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Expires: 6/30/2018

E R R A T A

I, MICHAEL P. WHITE, having read the  
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\_\_\_\_\_  
MICHAEL P. WHITE

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_